

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Arthur Lamel Batts

Docket No. 4:08-CR-14-1BO

Petition for Action on Supervised Release

COMES NOW Dennis E. Albertson, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Arthur Lamel Batts, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 26, 2008, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 3 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Arthur Lamel Batts was released from custody on April 3, 2012, at which time the term of supervised release commenced. On May 26, 2012, supervision was modified to include drug aftercare in response to a positive urinalysis for marijuana on May 11, 2012.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

Since that time the offender has tested positive for marijuana on June 18, July 18 and August 16, 2012, respectively. Batts was referred to Port Human Services on June 7, 2012, for a substance abuse assessment and participation in recommended treatment. The probationer has begun participating in treatment and has also recently secured regular employment and vocational training services which should aide in his efforts to refrain from the use of marijuana. It is noted that recent urinalysis results on August 27 and September 6, 2012, were negative for the presence of controlled substances.

Accordingly, based on the offender's current efforts towards sobriety, it is recommended supervision be continued and modified to include the special condition that he abide by a curfew for 60 days and wear a location monitoring device as directed by the probation officer. This action will serve as punitive sanction while limiting the offender's access to negative associates during non-work hours.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew from 8:00 pm to 5:00 am, or as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

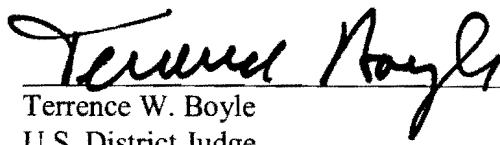
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dennis E. Albertson
Dennis E. Albertson
Senior U.S. Probation Officer
413 Middle Street, Room 304
New Bern, NC 28560-4930
Phone: 252-638-4944
Executed On: September 17, 2012

ORDER OF COURT

Considered and ordered this 21 day of September, 2012, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge